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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/847,755	7,755 05/02/2001		William Douglas Poynter	9425	9425 6062	
26884	7590	05/16/2005		EXAM	EXAMINER	
PAUL W. N	MARTIN		STEVENS, T	STEVENS, THOMAS H		
LAW DEPA	RTMENT	, WHQ-4				
1700 S. PAT	TERSON	BLVD.	ART UNIT	PAPER NUMBER		
DAYTON, O	OH 4547	9-0001	2123			

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)		
09/847,755	POYNTER, WILLIAM DOUGLAS		
Examiner	Art Unit		
Thomas H. Stevens	2123		

Before the Filing of an Appeal Brief	Examiner	Art Unit						
	Thomas H. Stevens	2123						
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress					
THE REPLY FILED <u>04 May 2005</u> FAILS TO PLACE THIS APP	LICATION IN CONDITION FOR AL	LOWANCE.						
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods:	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mo	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)					
 a)	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.					
Extensions of time may be obtained under 37 CFR 1.136(a). The date nave been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da).	of the fee. The approprinally set in the final Offi te of the final rejection, of	iate extension fee ce action; or (2) as even if timely filed,					
2. The Notice of Appeal was filed on A brief in complifing the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed.	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th						
AMENDMENTS			-					
 The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further common terms. 			ecause					
(b) They raise the issue of new matter (see NOTE below		TE below),						
(c) They are not deemed to place the application in be appeal; and/or	• •	ducing or simplifying	the issues for					
(d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.						
NOTE: (See 37 CFR 1.116 and 41.33(a)).								
4. $igsqcup$ The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).					
5. Applicant's reply has overcome the following rejection(s								
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 		•						
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ll be entered and an e	explanation of					
Claim(s) allowed:								
Claim(s) objected to:								
Claim(s) rejected: <u>1-12.</u> Claim(s) withdrawn from consideration:	Claim(s) rejected: <u>1-12</u> . Claim(s) withdrawn from consideration:							
AFFIDAVIT OR OTHER EVIDENCE								
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 								
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a					
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	ntry is below or attac	hed.					
11. The request for reconsideration has been considered by applicants raise new issues.	ut does NOT place the application i	n condition for allowa	nce because:					
12. ☐ Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	No(s) //						
13. Other:	,							
			ORTHER					

U.S. Patent and Trademark Office PTOL-303 (Rev. 4-05)

Advisory Action Before the Filing of an Appeal Brief

Part of Paper No. 5/10/05

